

State of California
Business, Transportation and Housing Agency
Department of Transportation

HIGHWAY RIGHT OF WAY MATTERS
Resolutions of Necessity
Action Item

Prepared By:
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CTC Meeting: September 28-29, 2000

Agenda Item: 2.4 b

Original Signed By _____
W. J. EVANS, Deputy Director
Finance
September 1, 2000

RESOLUTIONS OF NECESSITY

For each of the proposed resolutions, the property owners are not contesting the following findings contained in Section 1245.230 of the Code of Civil Procedure:

1. The public interest and necessity require the project.
2. The project is planned to provide the greatest public good with the least private injury.
3. This property is required for the proposed project.
4. An offer to purchase the property in compliance with Government Code Section 7267.2 has been made to the owner of record.

The only remaining issues with the property owners are related to compensation.

The Department of Transportation recommends the California Transportation Commission adopt Resolutions of Necessity C-18131 through C-18143. Discussions have taken place with all the owners, each of whom has been offered the full amount of the Department's appraisal and, where applicable, advised of any relocation assistance benefits to which the owner may subsequently be entitled. Adoption of the resolutions will not interrupt our efforts to secure equitable settlement. In accordance with statutory requirements, each owner has been advised that the Department is requesting the resolution at this time. Adoption will assist the Department in the continuation of the orderly sequence of events required to meet construction schedules.

C-18131 - AAC Funding Partnership, III

06-Fre-180-KP100.2 - Parcel 80878-1,2,3,4,5,6,7,8 - E.A. 342429 (freeway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, four easements for utility purposes, an easement for pedestrian crossing purposes, all of those certain improvements which straddle the right of way line with an easement to enter the remaining ownership to remove such improvements, located in the city of Fresno at 5425 East Belmont Avenue.

C-18132 - Frank C. Mendez, et ux

06-Ker-202-K.P. 19.6 - Parcel 003396-1 - E.A. 407709 (conventional highway) Authorizes condemnation of land in fee for a State highway, located in the city of Tehachapi at Tucker Road (APN #416-010-02).

C-18133 - Arman Akarakian, et ux.

06-Ker-202-K.P. 14.8 - Parcel 3398-1, 3402-1 - E.A. 407709 (conventional highway) Authorizes condemnation of land in fee for a State highway, located in the city of Tehachapi at Tucker Road (APN #415-130-28, 29.)

C-18134 - Pacific Ridge Land I, LLC

06-Ker-202-KP 15.1 - Parcel 3399-1A,1B,2; 3400-1A,1B,2,3 - E.A. 407409 (conventional highway) Authorizes condemnation of land in fee for a State highway, a temporary easement for highway construction, located in the city of Tehachapi near State Route 202 and Tehachapi Boulevard.

C-18135 - Mark J. Garcia, et al.

07-Ven-101-P.M. 13.5/13.9 - Parcel 75817 - E.A. 104959 (freeway) Authorizes condemnation of land in fee for a State highway, located in the city of Camarillo at 166 Nellora Street.

C-18136 - Michael Toft, et al.

07-Ven-101-KP 22.6 - Parcel 75815 - E.A. 104959 (freeway) Authorizes condemnation of land in fee for a State highway, located in the city of Camarillo at 163 Nellora Street.

C-18137 - Ronald Wallace Stenlake, Trustee of the Anita Stenlake Trust, et al.

07-LA-1-R25.2 - Parcel 76786 - E.A. 4G4209 (conventional highway) Authorizes condemnation of land in fee for a State highway, located in the city of El Segundo at 307 North Sepulveda Boulevard.

C-18138 - Cucamonga County Water District

08-SBd-30-P.M. 1.5/3.88 - Parcel 13741-1,2,3; 13742-1,2,3 - E.A. 443219 (freeway) Authorizes condemnation of land in fee for a State highway, extinguishment of abutter's rights of access, temporary easements for construction purposes, a permanent easement for drainage purposes, located in the city of Rancho Cucamonga east of Cucamonga Creek Channel and north and south of the freeway right of way.

C-18139 - Casa La Veta Associates

08-SBd-30-KP R6.03 - Parcel 14556-1,2 - E.A. 443259 (freeway) Authorizes condemnation of two temporary easements for construction purposes, located in the city of Rancho Cucamonga at 6618 Amethyst Street.

C-18140 - Sunscape West, LLC

08-SBd-30-KP R7.74 - Parcel 14536-1 - E.A. 443219 (freeway) Authorizes condemnation of a temporary easement for construction purposes, located in the city of Rancho Cucamonga at 8840 19th Street.

C-18141 - Jameslane Associates Limited Partnership

08-SBd-30-KP R9.50/R9.62 - Parcel 17319-2,3 - E.A. 443211 (freeway) Authorizes condemnation of extinguishment of abutter's rights of access, extinguishment of all easements of access in and to Archibald Avenue, a temporary easement for construction purposes, located in the city of Rancho Cucamonga at 7500 19th Street.

C-18142 - Don Miguel Investors Ltd.

08-SBd-30-KP R9.68 - Parcel 14560 - E.A. 443259 (freeway) Authorizes condemnation of a temporary easement for construction purposes, located in the city of Rancho Cucamonga at 9850 19th Street.

C-18143 - Kirkham, Carey

10-Sta-132-P.M. 11.39 - Parcel 14452 - E.A. 2A6009 (conventional highway) Authorizes condemnation of land in fee for a State highway, located near the city of Modesto at 3737 Maze Boulevard.